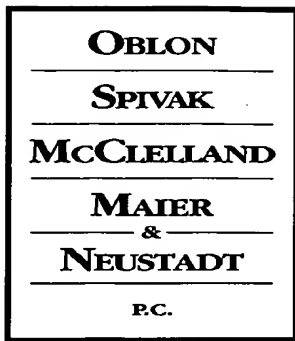


419



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Total number of pages including this page: 51

OSMM&N File No. 204684US6

Serial No. 09/761,961

In the matter of the Application of: Munetoshi MORIICHI, et al.

For: WRITING DEVICE

Dept.: E/M

By: BDL/dfd

Due Date: N/A

- ☒ Dep. Acct. Order Form
- ☒ Letter
- ☒ Appendices A-F

419

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\* \* \* COMMUNICATION RESULT REPORT ( SEP. 29. 2004 3:42PM ) \* \* \*

FAX HEADER: OBLON, SPIVAK

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FILE MODE OPTION

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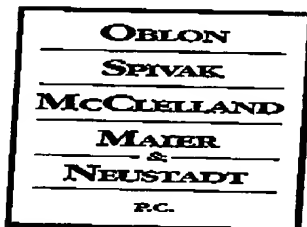
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RESULT

OK

PAGE

51/51

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWERE-2) BUSY  
E-4) NO FACSIMILE CONNECTION

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Total number of pages including this page: 51OSMM&N File No. 204684US6Serial No. 09/761,961In the matter of the Application of: Munetoshi MORTUCHI, et al.For: WRITING DEVICE

Dept.: E/M  
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Date: Sept. 29, 2004 Signature:  Attorney

To: Examiner: Paul Huber Telephone Number: 308-1549

Group Art Unit: 2653

Facsimile No.: 703-746-5973

From: Bradley D. Lytle Registration No.: 40,073

Telephone Number: 703-412-6489

Date: September 29, 2004

RE: U.S. Application Serial Number: 09/761,961

Filed: January 17, 2001

Attorney Docket Number: 204684US6

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: \_\_\_\_\_

#### COMMENTS

In the event that any fees are due, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge the required fees to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time.

\* \* \* COMMUNICATION RESULT REPORT ( SEP. 29. 2004 3:42PM ) \* \* \*

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RESULT

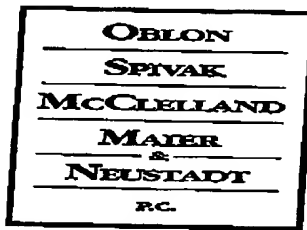
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605 MEMORY TX

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OK

51/51

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on Date: Sept 29, 2004 Signature: Bradley D. Lytle  
Total number of pages including this page: 51

OSMM&N File No. 204684US6Serial No. 09/761,961In the matter of the Application of: Munetoshi MORIUCHI, et al.For: WRITING DEVICE

Dept: E/M  
By: BDL/afg

Due Date: N/A

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DOCKET NO: 204684US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
MUNETOSHI MORIICHI, ET AL. : EXAMINER: HUBER, P.  
SERIAL NO: 09/761,961 :  
FILED: JANUARY 17, 2001 : GROUP ART UNIT: 2653  
FOR: WRITING DEVICE :

LETTER

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

This Letter is in response to a telephone conversation of September 23, 2004 between Deborah Drake of our firm who is secretary to the undersigned and Examiner Paul Huber. The above-identified patent application has gone abandoned by alleged failure to pay the Issue Fee due on September 24, 2002. As discussed, the relevant facts appear to be as follows:

1. A Notice to Filing Missing Parts was mailed on February 28, 2001 to Charles P. Sammut, the previous attorney handling this application. The Declaration, executed by the Inventors, was filed on May 25, 2001 in the United States Patent and Trademark Office indicating that the appointed attorneys for Customer Number 022850 (i.e., our firm, "Oblon Spivak, McClelland, Maier & Neustadt, P.C.") were to prosecute the above-identified application on their behalf (Appendix A).

2. On December 16, 2002 (Appendix B) our firm filed a Status Request for First Office Action.

Application No. 09/761,961

3. On December 27, 2002 (Appendix C) our firm filed a Request for Withdrawal of Abandonment Based on Failure to Receive Notice of Allowance/Allowability.

4. On July 30, 2003 (Appendix D) our firm filed a Second Status Request for First Office Action.

5. On January 9, 2004 (Appendix E) JuaNita Smith of our law firm contacted Examiner Huber by telephone regarding the Request for Withdrawal of Abandonment Based on Failure to Receive Notice of Allowance/Allowability filed on December 27, 2002. Examiner Huber advised that we should refile the Request.


6. On January 23, 2004 the Request for Withdrawal of Abandonment Based on Failure to Receive Notice of Allowance/Allowability was faxed (Appendix F) again to the Commissioner of Patents.

At the request of Examiner Huber, the undersigned is providing this Letter and request that the file be ordered from Pubs – PTO File Maintenance Facility at Baileys X Roads. Examiner Huber indicated that he could not order the file from on line and would investigate other options to retrieve this file.

Accordingly, the Examiner is requested to contact the undersigned at 703-412-6489 regarding the retrieval of this file and the granting of the withdrawal of abandonment.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

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Fax: (703) 413 -2220  
(OSMMN 06/04)